

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ORIGINAL

In re application of:

Grigoriy Grinberg et al.

Serial No.: 10/604,313

Filed: July 10, 2003

For: SPRAY-FORMED ARTICLES MADE OF PSEUDO-ALLOY
AND METHOD FOR MAKING THE SAME

Attorney Docket No.: 201-0423 (FCHM 0133 PUS1)



Group Art Unit: 1725

Examiner: Unknown

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop Missing Parts
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice to File Missing Parts dated January 12, 2005.

The Notice to File Missing Parts indicates that the compact disc(s) submitted fails to comply with 37 C.F.R. § 1.52(e) in that they contain non-ASCII files.

Applicants traverse the propriety of the Office's Notice to File Missing Parts. The Notice is based on the defective statement that "[t]his application contains compact disc(s) as a part of the originally filed subject matter[.]" Indeed, the compact disc in question was submitted as a prior art reference referred to in a Supplemental Information Disclosure

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

03/02/05
Date of Deposit

Matthew M. Jakubowski
Name of Person Signing


Signature

Statement (IDS) filed on September 9, 2003. Therefore, Applicants request the Notice to be withdrawn.

Furthermore, the Applicants have submitted a Supplemental IDS under 37 C.F.R. § 1.98(d), thereby obviating the necessity to resubmit the compact disc in the instant application. As noted in the enclosed copy of the Supplemental Information Disclosure Statement, Applicants refer to U.S. Patent No. 6,595,263 (parent application), which was issued from application Serial No. 09/682,321 to which this present application claims priority under 35 U.S.C. § 120. Additionally, as noted on the '263 patent, the reference "Rapid Tooling, Changing the Face of Manufacturing – Compact Disc Digital Data, dated October 12, 2000, TRT: 10:50," is identified on the first page of the '263 patent and was considered during prosecution of the parent application. Therefore, it is believed that a copy of this reference need not be resubmitted to the Office in accordance with 37 C.F.R. § 1.98(d). Specifically, the earlier application, now the '263 patent, is properly identified in the Information Disclosure Statement and is relied on for an earlier effective filing date under 35 U.S.C. § 120. (37 C.F.R. § 1.98(d)(1)). It is further asserted that the Information Disclosure Statement submitted in the earlier application complies with paragraphs (a) through (c) of § 1.98. (37 C.F.R. § 1.98(d)(2)).

Applicants respectfully submit that this response satisfactorily addresses the issues raised in the Notice to File Missing Parts dated January 12, 2005. If the Office believes that a telephone conference would advance the prosecution of this application, such a conference is invited at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any fees associated with the filing of this paper to the Deposit Account of Ford Global Technologies LLC, No. 06-1510. A duplicate of this Transmittal Letter is enclosed for that purpose.

Respectfully submitted,

GRIGORIY GRINBERG ET AL.

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Date: 03/02/05

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Enclosure



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/604,313	07/10/2003	Grigoriy Grinberg	201-0423

CONFIRMATION NO. 1312

28395
 BROOKS KUSHMAN P.C./FGTL
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 SOUTHFIELD, MI 48075-1238

FORMALITIES LETTER



OC000000014938465

Date Mailed: 01/12/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that they contain non-ASCII files. A new duplicate set of compact discs with only ASCII files is required. Any replacement compact disc submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set. If a directory of the disc could be printed, it is attached and non-ASCII files are marked on the directory listing.
- This application contains compact disc(s) as part of the originally filed subject matter or as an amendment, however the information contained on the compact disc(s) is not one of the types of information that may be submitted on compact disc(s). (see 37 CFR 1.52(e)).

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE